

FORM PTO-1390

U.S. Department of Commerce Patent and Trademark Office

Attorney's Docket No.

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

3165-117

U.S. Application No. (if known, see 37 CFR 1.5)

10/522095  
New Application

**INTERNATIONAL APPLICATION NO.**  
**PCT/EP2003/008013**

**INTERNATIONAL FILING DATE**  
July 22, 2003

**PRIORITY DATE CLAIMED**  
July 23, 2002

**TITLE OF INVENTION**

3-HETEROCYCLYL SUBSTITUTED BENZOIC ACID DERIVATIVES

**APPLICANT(S) FOR DO/EO/US**

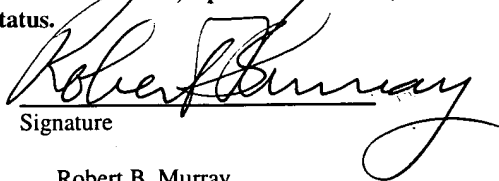
Michael PUHL, Gerhard HAMPRECHT, Robert REINHARD, Ingo SAGASSER, Werner SEITZ,  
Cyrill ZAGAR, Matthias WITSCHEL, Andreas LANDES

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**ITEMS 11. TO 20. below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☒ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Published Application, PCT/IB/301, PCT/IB/304, PCT/IB/308, PCT/IPEA/409

U.S. APPLICATION NO. (If known, see 37 CFR 1.501) New Application <b>10/522095</b>		INTERNATIONAL APPLICATION NO. PCT/EP2003/008013		ATTORNEY DOCKET NO. 3165-117	
21. The following fees are submitted: <b>Basic National Fee (37 CFR 1.492)(a)(1)-(5):</b>				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
a) Basic national Fee ..... \$300.00 b) Examination fee ..... \$200.00 c) Search fee ..... \$500.00					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,000	
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	20 -20 =	0	X \$50.00	\$0	
Independent Claims	1 - 3 =	0	X \$200.00	\$0	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,000	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0	
<b>SUBTOTAL =</b>				\$1,000	
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0	
<b>TOTAL NATIONAL FEE =</b>				\$1,000	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$40	
<b>TOTAL FEES ENCLOSED =</b>				\$1,040	
				Amount to be refunded	\$
				charged	\$
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$ <u>1,000</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed. <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>Customer No. 6449</b>             Robert B. Murray            Rothwell, Figg, Ernst &amp; Manbeck            1425 K St., N.W.            Washington, D.C. 20005            Phone: 202/783-6040         </div> <div style="width: 45%; text-align: center;">             Signature   <u>Robert B. Murray</u>            Name   <u>22,980</u>            Registration Number         </div> </div>					